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THE DIPLOMATIC DISPUTE OVER THE RIGHTS OF THE EUROPEAN COMMISSION OF THE DANUBE DURING THE INTERWAR PERIOD

The European Commission of the Danube was established in 1856. Its objective was to ensure favourable conditions of navigation in the delta of the river, which in the same year gained international status. In the years that followed, the rights of the European Commission of the Danube gradually increased until an independent Romania suddenly emerged on the political scene, and which claimed sovereign rights over the lower part of the river. The dispute with Romania grew even more heated in the inter-war period, and it ended when Romania took over the majority of the rights of the European Commission of the Danube in 1938.

LEGAL FOUNDATIONS OF THE FUNCTIONING OF THE EUROPEAN COMMISSION OF THE DANUBE

By virtue of Article 16 of the Paris Treaty of 30 March 1856 the European Commission of the Danube (which will also be referred to as the European Commission or simply the Commission) was established, which consisted of delegates from Austria, France, the United Kingdom, Prussia, Russia, Sardinia and Turkey. Its task was to clear the mouth of the river. Funds were raised from navigation tariffs that the delegates set by majority vote. It also used loans granted by the governments of the member countries. The area that it covered spread from the mouth of the Danube to Isakcia and was, at that time, on the territory of Turkey. Admittedly, the southern part of Besarabia, bordering the northern branch Kilia was united with Moldova, but Moldova itself re-

mained a Turkish fiefdom.¹ Despite having been established only two years earlier, in 1958 the European Commission of the Danube's remit was extended to allow it to finish everything it had undertaken.² On 2 November 1865, the signatories of the 1856 treaty evaluated the work of the European Commission of the Danube in a positive way and decided to put it under international protection. The Commission gained the exclusive right to administer all the equipment that it set up in order to undertake its operations, and to plan and undertake all the works necessary for navigation on the middle branch of the Danube: Sulina and on the southern of St. George. Turkey gave to the Commission some land on the left-hand bank of the river in the Port of Sulina, whose dimensions were 760 m by 50 m, and on the right bank of the river a suitable place for building a hospital and administration buildings, on the condition that the Commission would pay real estate tax. No equipment could be built in the port of Sulina that was not covered by the general plan for the development of the port prepared by the Commission.³

Navigation on the Danube was to take place according to the 'Rules of navigation and police' adopted by the Commission on 2 November 1865, which was at the same time the legal foundation to solve civil disagreements arising from its usage. Control over navigation was in the hands of officials nominated by the Sultan; they were the General Inspector of the lower Danube and the Captain of the Port of Sulina; the Commission, however, could demand their dismissal if they did not follow binding rules.⁴

These solutions were accepted by the world powers at a conference in Paris on 28 March 1866. On 24 April 1866 the existence of the Commission was extended for five years, and in 1871 for another twelve years, in order to allow it to pay back a loan guaranteed by Austro-Hungary, Germany, France, the United Kingdom, Italy and Turkey.⁵ A weakened Turkey and its dependent Romanian duchies tolerated the strengthening of the Commission, believing that it was better to have an international administration on the Danube rather than the political influence and rivalry of Austria and Russia.⁶

¹ The Archive of New Acts [later AAN], Bucharest 448, 'Traité, actes, conventions et règlements relatifs à la Commission Européenne du Danube (1856-1930)', Paris 1931, p. 97; 'Study of the Danube navigation of 19 October 1955', p. 2; W. Dobrzycki, *Historia stosunków międzynarodowych w czasach nowożytnych 1815-1945*, Warszawa 1996, pp. 55-56; L. Bazyłow, *Historia Rosji*, Wrocław 1969, p. 274.

² AAN, 'Traité, actes, conventions...', p. 99.

³ Ibid., pp. 101-102; NA, FO 371/158608, 'Study of the Danube navigation without date', pp. 34-36; S.G. Focas, *The Lower Danube River in the Southeastern European Political and Economic Complex from Antiquity to the Conference of Belgrade of 1948*, trans. by R.J. Metes, New York 1987, p. 295.

⁴ AAN, 'Traité, actes, conventions...', p. 104.

⁵ Ibid., pp. 108-109; NA, FO 371/158608, 'Study of the Danube navigation without date', pp. 34-36; NA, FO 371/115425, 'Study of the Danube navigation of 19 October 1955', p. 2; S.G. Focas, *The Lower Danube River...*, p. 295.

⁶ C. Atanasiu, *Problema suveranității României la Dunăre și "Navigația Fluvială Română" (1919-1945)*, București 2003, pp. 32-33.

The treaty of Berlin on 13 July 1878 resulted in Romania, which had become an independent country, ceding to Russia the southern part of Bessarabia with the branch Kilia and its southern offshoot, Old Stambul, but it gained some islands in the Danube delta, the Isle of Snakes and the whole river delta. Thus Romania became a member of the European Commission of the Danube, whose rights were confirmed and its area of operations was extended all the way to Galac. On 'its own' section of the river the Commission acted 'completely independently from the territorial government.' The Commission was also given the task of preparing (in agreement with the Danube countries) the rules for navigation and the river police for the upper section of the river from the Iron Gate to Galac.⁷

On 28 May 1881 the member countries of the European Commission decided to entrust to their delegates, irrespective of their nationality, the authority to choose who should be Inspector of navigation, Chancellor of the control of navigation and controllers of navigation of the separate sections of the lower Danube, as well as the Captain of the port of Sulima and all his dependent personnel. The officials appointed by the Commission made all the decisions in its name, including rulings in cases that arose from violations of the rules of the river. The Commission also gained control of its treasury, which had previously been in the hands of a special agent. It had its seat at Galac. The Commission regulated a signal system and sanitary rules, and it had its own ship and a flag.⁸

The London treaty signed on 10 March 1883 extended the existence of the European Commission of the Danube for 21 years (until 1904). After that period it was envisaged that the continued operation of the Commission would be based on silent agreements that would be concluded every three years. The Commission's area of operations was extended to Braila, and rules that were drawn-up on 2 June 1882 were also approved for the sector between Braila and the Iron Gate.⁹

The rulings of the London treaty encountered Romanian opposition, which was not prepared to allow a further extension of the powers of the European Commission on its own territory. The main point of disagreement was the section of the river between Galac and Braila. A Romanian delegate did not put his signature on the treaty of 1883, and he did not acknowledge the rules of the Commission from 1882.¹⁰

During the First World War, the Central Powers attempted to eliminate the European Commission of the Danube. The peace treaty concluded with Romania, in Bucharest on 7 May 1918 established the Commission of the Mouth of the Danube, which was to carry out purely technical tasks. On 17 May 1918, France, the United

⁷ AAN, 'Traités, actes, conventions...', p. 112.

⁸ Ibid., pp. 113-116; NA, FO 371/158608, 'Study of the Danube navigation without date', pp. 37-38.

⁹ AAN, 'Traités, actes, conventions...', pp. 117-118; NA, FO 371/158608, 'Study of the Danube navigation without date', pp. 37-38; S. G. Focas, *The Lower Danube River...*, p. 496.

¹⁰ NA, FO 371/158608, 'Study of the Danube navigation without date', p. 38; NA, FO 371/115425, 'Study of the Danube navigation of 19 October 1955', pp. 2-3; W. Dobrzycki, *Historia stosunków...*, p. 156; C. Atanasiu, *Problema suveranităţii...*, p. 33.

Kingdom and Italy protested against the decisions contained in the Bucharest treaty that pertained to the river, claiming that it violated international control of navigation on the Danube. That principle was subsequently upheld in the peace treaties in 1919-1920, which established two Danube commissions: one European and the other International; the countries that did not have access to the river had a presence on both of them (as third countries).¹¹

The final organization of the principles of navigation on the Danube was undertaken at a conference at Paris which convened on 2 August 1920 and lasted until 23 July 1921, when a Convention was signed which was to be the final statute of the Danube. The principle of freedom of navigation on the river and the equality of every country's flag was contained within it. The European Commission of the Danube was to enforce the rules on that section of the river that was navigable by ocean ships (from Braila to the mouth), and the International Commission of the Danube on that section that was navigable by river ships (from Ulm to Braila) and on its tributaries which were considered to be international. The European Commission included: France, the United Kingdom, Italy and Romania. However, some countries that had their own special interests on that part of the river could also apply for the membership. The rights of the European Commission remained the same as before 1914.¹²

The members of the International Commission of the Danube were Austria, Bulgaria, Czechoslovakia, Hungary, Romania, Yugoslavia, Bavaria, Württemberg, the United Kingdom, Italy and France. The International Commission, however, became only a coordinator of technical works undertaken on this section of the Danube and it had less extensive rights than the European Commission.¹³

THE DISPUTE BETWEEN ROMANIA AND THE EUROPEAN COMMISSION OF THE DANUBE IN THE INTERWAR PERIOD

In the interwar period both commissions encountered the resistance of some countries, which opposed the international administration of the Danube and wanted to defend their sovereignty. The Romanian government, in particular, made a claim against the European Commission in an attempt to take over most of its rights.

¹¹ AAN, 'Traité, actes, conventions...', pp. 119-122; *Traktat pokoju między mocarstwami sprzymierzonymi i stowarzyszonymi a Niemcami podpisany w Wersalu 28 czerwca 1919 r.*, Warszawa 1919 (The Peace Treaty signed between Great Powers and allied countries and Germany signed at Versailles 28 July 1919), pp. 162-163; C. Atanasiu, *Problema suveranității...*, pp. 91-92.

¹² NA, FO 371/158608, 'Study of the Danube navigation without date', pp. 38-40; C. Atanasiu, *Problema suveranității...*, pp. 97-112.

¹³ NA, FO 371/115425, 'Study of the Danube navigation of 19 X 1955', pp. 3-4; C. Atanasiu, *Problema suveranității...*, pp. 97-112; Arhivele Ministerului Afacerilor Externe [later AMAER], fond CID, Vol. 19, 'Unsigned memorandum of 12 June 1945'; AMAER, fond CID, Vol. 99, 'Memorandum without date about the legal situation of the Iron Gate'; Arhivele Naționale, Fond Stoica Vasile I/148, 'Memorandum of the government of Romania of 12 June 1945', p. 173.

Since 1883 Romania had invariably questioned the legal rights of the Commission between Galac and Braila, and asserted that its authority over this section of the river was only of a technical character. Romania wanted to eliminate the double jurisdiction at Sulina, where the port remained under the control of the Commission.

On 6 September 1924 the governments of the United Kingdom, France and Italy turned to the secretary general of the League of the Nations with a motion that requested that the League attempt to resolve the existing dispute. The motion was adopted by the Advisory and Technical Committee of Communication and Transit of the League of the Nations which appointed a special committee to look into the matter. The committee ruled that the European Commission could execute legal rights between Galac and Braila but only by applied practice and through the letter of the treaty. On 18 September 1926, in view of the ambiguous answer of the committee, the governments of Romania, France, Italy and the United Kingdom placed three questions before the International Tribunal at the Hague: firstly, whether the European Commission had the same rights between Galac and Braila as below Galac; secondly, if the European commission had the same authority on the section between Galac and Braila and whether its jurisdiction covered only the canal of Sulina or whether it also included the ports that remained under Romanian authority; thirdly, if the European Commission did not have the same authority in the sector Galac-Braila as below Galac, then what should be the line of division between the rights of the European Commission and Romania?¹⁴

On 8 December 1927, the International Tribunal at the Hague ruled with nine votes against one that in accordance with the Statute of the Danube and the Barcelona Convention (20 April 1921) the European Commission of the Danube had on the section from Galac to Braila the same rights as below Galac. The Tribunal also ruled that the authority of the Commission extended also to the banks of the river and to its ports to the extent that it would serve to preserve the freedom of navigation on the Danube. When it came to distinguishing between the rights of the European Commission and the Romanian government in the ports of Braila and Galac, it was ruled that Romania could exercise its authority insofar that it did not interfere with the rights of the Commission.¹⁵

The League's ruling formed the basis of an agreement concluded by Romania, the United Kingdom and Italy on 20 March 1929, which gave the European Commission control of the river police between the mouth of the Danube and the port at Braila. The port at Sulina remained under the Commission's authority, whereas the river police in other ports and on the banks of the river were to remain under control of Romania, and they were to discharge their duties without breaking the rules of the Commission. Navigational courts were established with the purpose of investigating

¹⁴ NA, FO 371/158608, 'Study of the Danube navigation without date', pp. 40-41; S.G. Focas, *The Lower Danube River...*, pp. 500-501, 503-506.

¹⁵ NA, FO 371/158608, 'Study of the Danube navigation without date', pp. 41-42; S. G. Focas, *The Lower Danube River...*, pp. 505-506; C. Atanasiu, *Problema suveranității...*, pp. 121-122.

all cases in which the laws of the river had been broken. In Galac an appellate court was to be established which would consist of representatives of the Commission and two representatives of Romania. Its final rulings were to be made in the name of the Romanian monarch. The rights of the inspector of navigation of the Commission were limited to the ships which were on the river. The ships coming to the port were under the authority of the Captain of the port of Sulina.¹⁶

Executing the agreement when it came to the organization of navigational courts encountered some difficulties. According to the Romanian constitution one could appeal the court of Galac's rulings to the Appellate court in Bucharest and to the Constitutional Court. There was not enough money, however, to establish a new court system. Finally, on 13 March 1932 the members of the European Commission decided at a meeting in Paris that the conditions were not favourable for the proposed reform of the legal system because of technical difficulties and the financial problems of the Commission and Romania.¹⁷

Another agreement (*modus vivendi*) was concluded by the delegates of the Commission on 10 May 1933: the Commission was allowed to carry out its technical and judicial rights between the mouth of the Danube and Braila, but withdrew from exercising its judicial rights between Galac and Braila. On 25 June 1933 another *modus vivendi* was concluded: Romania agreed to stop undermining the rights of the European Commission on the section from the mouth of the river to Braila, and the Commission decided not to enforce its judicial rights between Galac and Braila. The ships directed by the Commission's pilots were under its jurisdiction below Galac. When a ship called at Galac it would fall under Romanian jurisdiction and the Commission's pilot would be replaced by a Romanian pilot. After leaving Galac the ship was again to be boarded by a pilot of the Commission.¹⁸

Romania treated the Semmerling agreement as a temporary affair and did not abandon its endeavours to limit the rights of the European Commission. The Romanian Foreign Minister (in the years 1932-1936) Nicolae Titulescu maintained that Romania remained under the 'yoke of international sovereignty', and that the European Commission is 'an unbelievable anachronism, foreign supervision will not be accepted on native soil.' And a long-term delegate of Romania on the Commission, Constantin Contescu, argued that the Commission with its 'archaic regime and sovereign rights,' should be disbanded, and that if it continued to function, it would constitute scandalous proof of a lack of confidence in the Romanian state.¹⁹

Romania drew attention to its sovereign rights that conflicted with the Commission's sphere of operations. In 1931 Romania abolished a free trade zone

¹⁶ NA, FO 371/158608, 'Study of the Danube navigation without date', p. 42; S.G. Focas, *The Lower Danube River...*, pp. 511-512.

¹⁷ NA, FO 371/158608, 'Study of the Danube navigation without date', p. 42; C. Atanasiu, *Problema suveranității...*, pp. 121-123.

¹⁸ NA, FO 371/158608, 'Study of the Danube navigation without date', pp. 42-43; S.G. Focas, *The Lower Danube River...*, pp. 513-514; C. Atanasiu, *Problema suveranității...*, p. 124.

¹⁹ S.G. Focas, *The Lower Danube River...*, p. 516.

in Sulina.²⁰ On 21 June 1934 it unilaterally introduced a regulation that stated that a ship which had an accident would have to pay a rescue fee on the territory controlled by the European Commission of the Danube. When British, French and Italian envoys protested, the Romanian side answered that the treaties which had been signed did not limit the rights of Romania to levy such a tax. Questions that were posed about the abolition of the free trade zone in Sulina were not answered.²¹ Subsequent interventions made by the governments of the United Kingdom, France and Italy concerning the case of Sulina and the rescue fee continued to be met with silence.²²

The aim of Romania was to regain control over the whole port of Sulina. During the spring session of the European Commission of the Danube in 1935 a Romanian delegate, Contescu, raised that matter without success. Whereas delegates from France and Italy were reasonably willing to reach a compromise, a British delegate refused even to talk about this subject. Contescu, in return, accused the Commission of not having paid several communal taxes or the instalments that were used for the upkeep of the fire brigade. The Romanian delegate maintained that, although in the past nobody had asked the Commission to make these payments, it could no longer refuse to pay these fees. The sums involved were not huge and they were made by other diplomatic posts; nevertheless, a British delegate, Douglas Keane, recognized that, given that the atmosphere around the European Commission had taken on the aura of a general witch-hunt, Contescu's speech amounted to harassment.²³

Finally, the United Kingdom agreed to the payment of communal taxes by the European Commission of the Danube, but it refused to accede to the Romanian decision concerning the abolition of the free trade zone in Sulina and the imposition of the rescue tax, which was, according to it, a breach of the rights of the European Commission of the Danube and a ruling of the court at the Hague from 8 December 1927.²⁴

The diminishing authority of the United Kingdom and France encouraged Romania to continue its fight to weaken the European Commission of the Danube. Moreover, Turkey's success when it came to its own dispute over the Straits acted as an additional spur. The convention signed at Montreux on 20 July 1936 dissolved the International Commission for the Straits, and the Turkish government took over the rights it had previously possessed. Turkey gained the right to fortify the banks

²⁰ NA, FO 371/19 527, 'A note from the French Ministry of the Foreign Affairs to the British Embassy in Paris of 16 April 1935', p. 116.

²¹ NA, FO 371/19 527, 'A Letter from the Italian Embassy in London to Owena O'Malley (the Foreign Office) of 6 February 1935', p. 109.

²² NA, FO 371/19 527, 'A Letter from the French Minister of Foreign Affairs to the British Embassy in Paris of 27 April 1954', p. 120.

²³ NA, FO 371/19 527, 'Report of Douglas Keane to the Foreign Office of 14 May 1935', p. 129.

²⁴ NA, FO 371/19 527, 'A note from the British Embassy In Bucharest to the Minister of the Foreign Affairs of Romania of 25 May 1935', pp. 133-135; NA, FO 371/19 527, A Letter from the British Treasury to the Foreign Office of 20 August 1935, p. 137.

of the straits and to deploy military units there. All merchant ships had the right to freely pass through the straits during peacetime and neutral ships during war. Turkey agreed to allow military ships to pass through the straits during peacetime, but during war it had the right to impose restrictions that accorded with its own interests. Thus, it gained full control over the straits, which was a favourable precedent for Romania.²⁵

The next step taken against the international control of rivers was made by Germany, which rejected on 14 November 1936 the river clauses of the Versailles Treaty. This meant that it withdrew from all river commissions of which it was a member (including the International Commission of the Danube). Then, in 1938, the German delegation under the direction of George Martius proposed to the Danube countries, which included Romania, that navigation on the Danube should be based on new principles. The international Danube organizations would be replaced by a council of a purely technical character. The council would not have permanent representatives, and the agreement by which it would be established would not be ratified by any country. The Danube countries would take control of the river, and the third countries (the United Kingdom, France, and Italy) would lose their influence within the organization and control of navigation.²⁶

This project was something what the Danube countries had been waiting for, but the fact that it had been presented by the Third Reich at a time when it was becoming more powerful did not engender any enthusiasm. The Danube countries reacted cautiously to this proposal, despite the fact that it would remove control over navigation from the United Kingdom and France, as they were afraid that they might end up having to stand up to the might of Germany by themselves.²⁷

²⁵ S.G. Focas, *The Lower Danube River...*, p. 515; H. Batowski, *Miedzy dwiema wojnami 1919-1939. Zarys historii dyplomatycznej*, Kraków 1988, p. 280.

²⁶ S.G. Focas, *The Lower Danube River...*, p. 518; I write about it more in the article 'Problem obecności Niemiec w Komisjach Dunajskich w okresie międzywojennym', *Studia z Dziejów Rosji i Europy Środkowo-Wschodniej*, Vol. 42 (2007), pp. 80, 83.

²⁷ NA, FO 371/22387, 'Telegram of Hoare to the Foreign Office of 7 June 1938', p. 91; NA, FO 371/22388, 'A Letter from the Czechoslovak diplomatic mission of 7 June 1938 to Jan Masaryk', pp. 103-104; NA, FO 371/22388, 'A Letter of Masaryk of 9 August 1938 to the Foreign Office', pp. 182-184; NA, FO 371/22388, 'A Letter from A. Gascoigne from Budapest to Foreign Office of 10 July 1938', pp. 134-136, 139; NA, FO 371/22388, 'A Report of Keane from a meeting with Despar of 27 July 1938', pp. 159-161; NA, FO 371/22388, 'A Letter from the French Embassy in London to the Foreign Office of 9 July 1938, from Roché', pp. 116-118; NA, FO 371/22388, 'A Letter from A. Gascoigne from Budapest to the Foreign Office of 10 July 1938', p. 139; NA, FO 371/22388, 'A Note In Foreign Office made after a parliamentary question of 14 July 1938', pp. 120-121; AMAER, fond CID, Vol. 97, 'Telegram of Bossy of 2 July 1938 from Budapest'; AMAER, fond CID, Vol. 97, 'A Report of the conversations of Brauer and Martius in Belgrade of 3 July 1938'; AMAER, fond CID, Vol. 97, 'A Note to the French Embassy in Bucharest of 5 July 1938 from the Romanian Ministry of the Foreign Affairs ER'; AMAER, fond CID, Vol. 97, 'Telegram from the Romanian diplomatic mission in Bucharest of 6 July 1938'; AMAER, fond CID, Vol. 97, 'Telegram from the Romanian diplomatic mission in Sofia of 19 July 1938'; S.G. Focas, *The Lower Danube River...*, pp. 518-519.

The German proposal helped to facilitate a compromise between Romania, France, the United Kingdom and Italy. On the one hand, Romania supported the presence of third countries when it came to control of navigation on the Danube; on the other, the United Kingdom and France decided to make concessions as far as the rights of the European Commission of the Danube were concerned. The compromise was concluded at a conference at Sinaia, which began 8 August 1938. 'Agreement concerning the exercise of the rights of the European Commission of the Danube' was signed on 18 August 1938 by Romania, Great Britain and France. Italy, which did not take part in the conference, set as a condition of its agreement the introduction of some small amendments and the acceptance of Germany as a member of the European Commission of the Danube. This condition was easy to fulfil, as all the members of the Commission were of an opinion that Germany had to participate because it would be less dangerous within the Commission than if it were left outside of it. Finally, by virtue of an agreement reached at Bucharest on 1 March 1939 Germany was accepted into the Commission, and it signed together with Italy the agreement of Sinaia. These acts were ratified by Romania on 30 March 1939, and by the other powers between 6 and 9 May 1939.²⁸

By virtue of the agreement of Sinaia, the European Commission of the Danube lost its right to set the rules of navigation. Romania gained this right and was also to be responsible for policing it. The disputes that arose as a result of the breaking of the rules of navigation were to be decided in the first instance by Romanian courts, and the Appellate Court at Galac became a court of appeal. The Maritime Authority of the Danube was established, as an institution which was fundamentally Romanian and not international. The Authority planned and executed essential projects, and proposed the rates of navigational fees and charged them. The role of the European Commission of the Danube was limited to confirming or modifying proposed plans. It was to confirm the rates of payments and to ensure that they were made regularly and were fairly shared. The Commission was also to service the loans that had been previously extended to it.²⁹

The results of the Sinaia conference were regarded in Romania as a gesture of historic justice. The symbolic handing over of power by the European Commission of the Danube took place during its session from 13 to 26 May 1939. The Romanian delegate, Constantin Contescu, had planned for 16 May 1939, a solemn replacement of the flag of the European Commission. From now on, the Romanian flag was

²⁸ NA, FO 371/22386, 'A Project of the Romanian answer of 14 December 1938 to the Italy's proposition to join the agreement of Sinaia', pp. 250-253; NA, FO 371/22386, 'Telegram from Bucharest to the Foreign Office from Reginald Hoare of 15 December 1938', pp. 235-236; NA, FO 371/158608, 'Study of the Danube navigation without date', p. 43; AAN, The Polish Embassy in Bucharest 449, 'A report of Adam Mikucki of 30 August 1938'; S.G. Focas, *The Lower Danube River...*, p. 521.

²⁹ NA, FO 371/158608, 'Study of the Danube navigation without date', pp. 43-44; I write more about the conference at Sinaia in the article 'Konferencja europejska w Sinaia w sierpniu 1938 roku', *Rocznik Wschodni*, No. 9 (2003), pp. 211-222.

supposed to fly on all buildings that were taken over by the Romanian authorities. There was, however, some controversy over the issue of the palace at Sulina, which remained the Commission's property. Contescu maintained that the building stood on Romanian soil, and decided to hoist the Romanian flag over it too. The British delegate, Douglas Keane, strongly objected to this. He threatened to boycott the ceremony if the flag of the European Commission disappeared from its seat. Contescu reluctantly yielded as he was afraid that the British delegate would cause a scandal. When the ceremony began, and the flag of the European Commission in front of the palace at Sulina was being slowly lowered, Contescu rushed to prevent its removal. Douglas Keane supported the international character of the Commission and was convinced of the greatness of its task. When the Romanian anthem began to be played, he watched Contescu's hasty intervention with unconcealed satisfaction.³⁰

In his monograph devoted to the lower Danube, Spiridon G. Focas treated the conference at Sinaia as representing a complete capitulation of the European Great Powers, which was forced by Romanian claims and German expansion into the Balkans.³¹ The decisions of the conference at Sinaia signified, however, that the principle of international control over the international river was dropped in order to fulfil the national interest of a particular Danube country. This precedent was later used by other Danube countries, which wanted to jettison international control over their sections of the river. The fact that Romania took control over the lower Danube did not establish its security in the region. After the outbreak of the Second World War, Romania had to fight Soviet attempts to take over control of the delta. After the outbreak of the German-Soviet war the Danube became the exclusive supply-route for the German and Romanian armies fighting in the east. The decisions taken at the conference at Sinaia to some extent broke the principle of the freedom of navigation on the Danube, which was only completely abandoned during the Cold War when the Danube became an internal river for the countries of the Soviet bloc. This situation was only altered with the collapse of the Communist regimes in 1989 and 1990s.

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³⁰ AAN, The Polish Embassy In Bucharest 449, 'A report of Adam Mikucki of 30 August 1938'; NA, FO 371/25158, 'A Letter of Keane of 1 June 1939', pp. 113-115.

³¹ S.G. Focas, *The Lower Danube River...*, p. 518.

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